

CALIFORNIA BOARD OF CORRECTIONS

2004 STATUS OFFENDER DETENTION REPORT

INSTRUCTIONS

GENERAL INFORMATION

- Agencies that operate secure juvenile detention facilities are required to complete this report each time a status offender minor (as defined in Section 601 WIC) is held in the facility.
- A separate report form is to be completed each time a status offender minor is detained.
- Only complete and submit this form after the minor has been released.
- This form is to be submitted to the Board of Corrections by the 10th of the month if any status offenders were held and released during the preceding month.
- All sections are to be completed before submission.
- In the spaces provided at the bottom of the form, provide the signature, title, date and telephone number for **both** the reporting person and the facility manager.
- Please fax (916) 327-3317 **or** mail all completed surveys to:

Board of Corrections
Attn: Helene Heath-Zentner
600 Bercut Drive
Sacramento, CA 95814

- Forms may be downloaded from our website at:
www.bdcorr.ca.gov/fsod/status_offenders/status_offenders.htm.
- If you have any questions regarding the **2004 Status Offender Detention Report**, please contact Barbara Fenton, Field Representative, Board of Corrections at (916) 323-8620 or email at bfenton@bdcorr.ca.gov.

| Summary of the JJDP Act: Juvenile Detention or Correctional Facilities | |
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| Accused juvenile status offender | Secure hold limited to 24 hours prior to and 24 hours after an initial court appearance (excluding weekends and holidays). |
| Adjudicated juvenile status offender | Secure holding prohibited. |
| Status offender accused of violating a valid court order | Juvenile must be interviewed by an appropriate public agency within 24 hours of being placed in secure custody. The court must receive an assessment from the public agency and the juvenile must have a reasonable cause hearing within 48 hours of being placed in secure custody. Time limits exclude weekends and holidays. |
| Status offender adjudicated for violating a valid court order | No restrictions on holding. |

INSTRUCTIONS FOR SURVEY SECTIONS

SECTION A:

Name of facility: Enter the name of your Juvenile Detention Facility.

County: Enter the name of your county.

Type of facility: Please check the box to the left of the list that applies to your facility type.

SECTION B:

Name of minor: Enter the name of the detained juvenile.

County ID #: Enter the county identifier that could be used for case tracking purposes.

Time of intake: Please fill in the hour (in military time), month, day and year that the juvenile was booked into your facility.

Time of release: Please fill in the hour (in military time), month, day and year that the juvenile was released from your facility.

SECTION C:

Number of hours minor was held: Check the appropriate box (left of selections) of time period that the minor was held in your facility.

SECTION D:

Legal status of minor at time of intake: Please check the appropriate box for the status of the minor while in custody. If the minor did not go through the court process and was not (or is not currently) adjudged a 601 ward of the court, check the minor as **Accused**; if the minor has been adjudged a 601 ward of the court due to a status offender offense, check them as **Adjudicated**.

Reason for custody: Please check only one box (left of selections) that properly describes why the minor was in custody. Selected reason for custody must be the sole/main reason for detention.

***Note:** For the “Minor in possession of alcohol” selection, the federal government classifies a juvenile booked for this violation to be a status offender. If the minor was booked on the single violation of Section 25662(a) Business and Professions Code and has no other 602 WIC offenses, please mark appropriately.

If minor is adjudicated and committed to the Juvenile Hall for a 601 violation of probation (contempt of court) complete and include a valid court order checklist.

SECTION E:

This section requires that both the reporting person **and** the Facility Manager (i.e., Superintendent) sign and date the report. Please print both names and include each person’s title and telephone number.

VALID COURT ORDER (VCO) EXCEPTION SUMMARY

A juvenile commits a status offense such as truancy, runaway, curfew, or minor in possession of alcohol. The valid court order provision may not be used for non-offenders (dependants).

A valid court order is given by a juvenile court judge to a juvenile:

- ◆ who was brought before the court and made subject to such order, and
- ◆ who received, before the issuance of such order, the full due process rights guaranteed to such juvenile by the Constitution of the United States.

After its issuance, the juvenile violates the valid court order.

The juvenile may be held in a juvenile detention facility or a non-secure facility. The juvenile may not be held in an adult jail or lockup for any amount of time.

If the juvenile is held in a juvenile detention facility, a representative from an appropriate public agency must interview the juvenile in person within 24 hours (excluding weekends and holidays) of being placed into detention.

The juvenile can continue to be held in a juvenile detention facility if the juvenile has a reasonable cause hearing within 48 hours (excluding weekends and holidays) of being placed in detention. The reasonable cause hearing just include the following:

- ◆ A judicial determination that there is reasonable cause to believe the juvenile violated the valid court order, and
- ◆ A judicial determination that the juvenile is being held in the most appropriate placement pending disposition of the violation. This determination is based upon an assessment submitted by an appropriate public agency representative that reviews the immediate needs of the juvenile.

If all of the items listed above were satisfied during the reasonable cause hearing, the juvenile may be held in a juvenile detention center but should not be held any longer than necessary to make an informed disposition. The juvenile cannot be held in an adult jails or lockup for any length of time.